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FOREIGN SERVICE DESPATCH

No. 773.5-MSP/5-2559

FROM : Amembassy BENGHAZI

239 (NR) 711-56373
DESP. NO.

TO : THE DEPARTMENT OF STATE, WASHINGTON.

May 25, 1959
DATE

REF : Embassy's telegram No. 590, May 21, 1959

For Dept. Use Only	ACTION	DEPT.
	AF-5 6/3.	NEA-P W/MSC-3 E-7 IRC-8 ICA-11
	REC'D	OTHER
		CAP-10 OSD-4 PRAD-4 USIA-3 AIR-3

SUBJECT: Transmitting Exchange of Notes Regarding 1959 Aid Program

There is enclosed, for the information and records of the Department and the International Cooperation Administration, a copy of the exchange of notes between the American Ambassador and the Libyan Prime Minister and Minister of Foreign Affairs, dated May 21, 1959, which was reported in the telegram under reference.

A certified copy of the Ambassador's note and the signed original of the Libyan note also are enclosed for the Assistant Legal Adviser for Treaty Affairs.

DEPARTMENT OF STATE
J.M. Raji 5/6/82

For the Ambassador:

Edwin L. Smith
Counselor of Embassy

1959 SEP 22 AM 8:59
AF MESSAGE CENTER

Enclosures:

1. Note to Prime Minister, 5/21/59.
2. Translation of Note from Prime Minister, 5/21/59.
3. Certified copy of Enclosure (1).
4. Signed original of Enclosure (2).

Copy to: Amembassy, Tripoli (2)
7272d Air Base Wing

DEPARTMENT OF STATE
L/T
JUN 4 1959
OFFICE OF THE LEGAL ADVISER

File recommended in L/T RB

LEGAL ADVISER
FILED
SEP 1959
DEPARTMENT OF STATE

773.5-MSP/5-2559
CAA
CLASSIFIED FILE

ELSmith:ghb
REPORTER

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ACTION COPY — DEPARTMENT OF STATE

The action office must return this permanent record copy to DC/R files with an endorsement of action taken.

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(Classification)

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Benghazi, May 21, 1959

Excellency:

I have the honor to inform Your Excellency that, in accordance with our discussion of April 14, 1959, my Government is prepared to agree that the economic assistance now available to the Libyan Government from special purpose funds under the provisions of Paragraph 6 of the Libyan-American Economic Assistance Agreement of September 9, 1955, may be utilized this fiscal year at the discretion of the Libyan Government rather than being placed at the disposal of the Libyan-American Reconstruction Commission as previously agreed in an exchange of notes, dated May 6 and May 30, 1955, between the American Ambassador and the Deputy Prime Minister and Acting Minister of Foreign Affairs of the United Kingdom of Libya. It is understood that commitments undertaken by, through or on behalf of the Libyan-American Reconstruction Commission in anticipation of receipt of the above funds will continue to be met from them.

My Government is further prepared to place at the unrestricted disposal of the Libyan Government, for this year only and subject to transfer arrangements to be agreed between representatives of our two Governments, the sum of $4,000,000 from funds available to the United States Government for commitment during its fiscal year 1959, as a special indication of support for the Government of the United Kingdom of Libya, without prejudice or commitment in regard to aid programs or procedures in future years.

My Government is further prepared to transfer to the Libyan Government the sum of $2,000,000 for allocation, in accordance with the Libyan Government's budget for its fiscal year 1959/60, to the Libyan-American Reconstruction Commission for economic development projects to be agreed between representatives of our two Governments.

The foregoing is in addition to the other funds which my Government may make available during the fiscal year 1959 for economic development projects in Libya, as has previously been discussed between us.

This Note and Your Excellency's reply accepting it may be considered to constitute a general basis for proceeding with the offer contained hereinabove, without prejudice to the current discussions between the representatives of our Governments with respect to their view of the economic aid agreements between the two countries.

Accept, Excellency, the renewed assurances of my highest consideration.

s/ Loy W. Henderson

His Excellency
Abd al-Majid Kubar,
Prime Minister and Minister of Foreign Affairs
of the United Kingdom of Libya

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(Translation)

United Kingdom of Libya
Ministry of Foreign Affairs

Benghazi, May 21, 1959

Excellency:

I have the honor to inform Your Excellency of the receipt of your Note dated today which reads as follows:

(For the English language text of the note, see Enclosure No. 1)

In reply to the foregoing I have the honor to inform Your Excellency that the Government of the United Kingdom of Libya accepts what is contained in the Note above and agrees to consider it as constituting a general basis for proceeding with the offer which it contains.

Accept, Excellency, the renewed assurances of my highest consideration.

(signed)
Abd al-Majid Ku'bar
Prime Minister and Foreign Minister

His Excellency
Mr. J. Wesley Jones
American Ambassador in Libya
Benghazi

(Translated by: HHStackhouse)

NARA DECLASSIFIED

DECLASSIFIED

Benghazi, May 21, 1959

Excellency:

I have the honor to inform Your Excellency that, in accordance with our discussion of April 14, 1959, my Government is prepared to agree that the economic assistance made available to the Libyan Government from special purpose funds under the provisions of Paragraph C of the Libyan-American Economic Assistance Agreement of September 9, 1954, may be utilized this fiscal year at the discretion of the Libyan Government rather than being placed at the disposal of the Libyan-American Reconstruction Commission as previously agreed in an exchange of notes, dated May 6 and May 30, 1955, between the American Ambassador and the Deputy Prime Minister and Acting Minister of Foreign Affairs of the United Kingdom of Libya. It is understood that commitments undertaken by, through or on behalf of the Libyan-American Reconstruction Commission in anticipation of receipt of the above funds will continue to be met from them.

My Government is further prepared to place at the unrestricted disposal of the Libyan Government, for this year only and subject to transfer arrangements to be agreed between representatives of our two Governments, the sum of $4,000,000 from funds available to the United States Government for commitment during its fiscal year 1959, as a special indication of support for the Government of the United Kingdom of Libya, without prejudice or commitment in regard to aid programs or procedures in future years.

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My Government is further prepared to transfer to the Libyan Government the sum of $2,000,000 for allocation, in accordance with the Libyan Government's budget for its fiscal year 1959/60, to the Libyan-American Reconstruction Commission for economic development projects to be agreed between representatives of our two Governments.

The foregoing is in addition to the other funds which my Government may make available during the fiscal year 1959 for economic development projects in Libya, as has previously been discussed between us.

This Note and Your Excellency's reply accepting it may be considered to constitute a general basis for proceeding with the offer contained hereinabove, without prejudice to the current discussions between the representatives of our Governments with respect to the review of the economic aid agreements between the two countries.

Accept, Excellency, the renewed assurance of my highest consideration.

S/ J. Wesley Jones

His Excellency

'Abd al-Majid Ku'Ear,

Prime Minister and Minister of Foreign Affairs

of the United Kingdom of Libya.

United Kingdom of Libya)
)
City of Benghazi)
) ss:
Embassy of the United)
)
States of America)

I, Richard N. Kirby, Consul of the United States of America at Benghazi, duly commissioned and qualified, do hereby certify that the foregoing copy of a first person formal Note from the Honorable J. Wesley Jones, American Ambassador to his Excellency 'Abd al-Majid Ku'bar, Prime Minister and Minister of Foreign Affairs of the United Kingdom of Libya dated May 21, 1959, is a true and faithful copy of the copy this day exhibited to me, the same having been carefully examined by me and compared with the said copy and found to agree therewith word for word and figure for figure.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the Consular Service of the United States of America at Benghazi, this twenty third day of May, 1959.

Richard N. Kirby
American Consul

Annex No. 11 to Report 239

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United Kingdom of Libya

MINISTRY OF FOREIGN AFFAIRS

المملكة الليبية المتحدة

وزارة الخارجية

بنغازى فى ١٢ مايو ١٩٥٩

سعادة السفير ،

أتشرف باحاطتكم علما بتسلم مذكرة سعادتكم بتاريخ اليوم والتى نصها مترجما كما يلى :-

أتشرف بأن اعلم سعادتكم أنه بناء على البحث الذى دار بيننا بتاريخ ١٤ أبريل ١٩٥٩ ، فان حكومتى مستعدة أن توافق على وضع المساعدة الاقتصادية المخصصة للحكومة الليبية من اموال الاغراض الخاصة بموجب قرار الفقرة ج من اتفاقية المساعدة الاقتصادية الليبية الامريكية بتاريخ ٩ سبتمبر ١٩٥٤ ، تحت تصرف الحكومة الليبية لتستعملها حسب مشيئتها عوضا عن وضعها تحت تصرف لجنة الانشاء الليبية الامريكية ، كما كان قد سبق الاتفاق عليه بموجب مذكرتين متبادلتين بتاريخ ٦ مايو ١٩٥٥ و ٣٠ مايو ٥٣ ، بين السفير الامريكى ونائب رئيس وزراء المملكة الليبية المتحدة ووزير خارجيتها بالوكالة ومن المعلوم بأن الالتزامات التى ارتبط بها بواسطة أو نيابة عن لجنة الانشاء الليبية الامريكية توقعا لاستلامها الاموال المذكورة اعلاه ستستمر اللجنة المذكورة فى تنفيذها والوفاء بها .

وبالاضافة الى ذلك فان حكومتى مستعدة لان تضع تحت تصرف الحكومة الليبية الغير مقيد لهذه السنة فقط وخاضع لتدابير النقل والتحويل حسب ما يتفق عليه بين ممثلى حكومتينا ، مبلغ أربعة ملايين دولار من الاموال المخصصة لالتزام وارتباد لحكومة الولايات المتحدة ، خلال سنتها المالية ١٩٥٩ ، ليكون ذلك دليلا اضافيا عن المساعدة والمعاضدة لحكومة المملكة الليبية المتحدة ، دون أن يكون فى ذلك أى ضرر أو التزام بالنسبة لبرامج المساعدة أو الاجراءات المتعلقة بها فى السنين المقبلة .

وأن حكومتى مستعدة أيضا لان تحول الى الحكومة الليبية مبلغ مليونين دولار (٢٠٠٠٠٠٠ دولار) أخرى لتخصيصها بموجب ميزانية الحكومة الليبية عن سنتها المالية ١٩٥٩ - ١٩٦٠ ، للجنة الانشاء الليبية الامريكية من أجل مشاريع التنمية الاقتصادية حسب ما يتفق عليه بين ممثلى حكومتينا .

يضاف الى ما ذكر اعلاه الاموال الاخرى التى ستجعلها حكومتى متوفرة خلال السنة المالية ١٩٥٦ لاجل مشاريع التنمية الاقتصادية فى ليبيا والتى كما سابقا قد تباحثنا عنها ٠

أن هذه المذكرة مع جواب سيادتكم بالقبول يمكن اعتبارهما بانهما يشكلان اساسا عاما للسير بالحرف الموضح أعلاه ، على الا يترتب على هذا الاجراء اى ضرر بسير المحادثات الجارية بين ممثلى حكومتينا فى الوقت الحاضر بشأن اعادة النظر فى اتفاقيات المساعدة الاقتصادية بين البلدين ٠

وتفضلوا سيادتكم بقبول اسمى آيات التقدير والاحترام))٠

جوابا على ما تقدم ، أتشرف بأن اعلم سعادتكم بأن حكومة المملكة الليبية المتحدة تقبل ما ورد فى المذكرة اعلاه وتوافق على اعتبار انها تشكل اساسا عاما للسير بالحرف الذى تحتويه ٠

وتفضلوا بقبول ، اسمى آيات التقدير والاحترام ٠

(عبد المجيد كعبار)

رئيس مجلس الوزراء ووزير الخارجية

سعادة المستر ج ٠ ويسلى جونس
السفير الامريكى بليبيا
بنغازى